

Docket No.: 57457-020 (P25525-01US)

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled A METHOD AND APPARATUS FOR DETECTING DNA HYBRIDIZATION, the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### **Prior Foreign Applications(s):**

Number	Country	Day/Month/Year filed	Priority Claimed
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

### **Prior Provisional Application(s):**

Application Number	Filing Date
--------------------	-------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112 I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

### **Prior U.S. Application(s):**

Serial No.	Filing Date	Status: Patented, Pending, Abandoned
------------	-------------	--------------------------------------

I hereby declare that all statements made herein of my own knowledge are true and that all statements made information and belief are believed to be true; and further that these statements were made with the knowledge of willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Stephen A. Becker, Reg. No. 26,527; John G. Bisbil, Reg. No. 37,095; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Carina M. Tan, Reg. No. P-45,769; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. P-46,429; Thomas A. Corrado, Reg. No. 42,439; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncanson, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fui, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew Grumbling, Reg. No. 44,427; John A. Hankins, Reg. No. 32,029; Joseph Hyosuk Kim, Reg. No. 41,425; E. J. Kraus, Reg. No. 36,190; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Christine Martin, Reg. No. 39,762; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert Price, Reg. No. 22,685; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Dan H. Sherr, Reg. No. P-46,425; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Wesley Strickland, Reg. No. 44,363; Michael D. Switzer, Reg. No. 39,551; Keith J. Townsend, Reg. No. 40,358; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976 all of

McDERMOTT, WILL & EMERY  
600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096

Direct Telephone Calls to: Telephone 202-756-8000

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: John K. Howard

Inventor's signature:

*John K. Howard*

Date: Jan 25, 2000

Residence: 20610 Komina Ave, Saratoga, CA 95070

Citizenship: USA

Post Office Address: 20610 Komina Ave, Saratoga, CA 95070